

EXHIBIT 17
FILED UNDER SEAL

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

THE STATE OF TEXAS,)
et al.,)
Plaintiffs,)
vs.) CASE NO. 4:20-cv-00957-SD
GOOGLE LLC,)
Defendant.)

30(b)(6) DEPOSITION OF
JEFF PICKETT
ON BEHALF OF THE STATE OF ALASKA
MAY 3, 2024

ORAL VIDEOTAPED DEPOSITION OF JEFF PICKETT, via
Zoom, produced as a witness at the instance of the
Defendant and duly sworn, was taken in the above-styled
and numbered cause on the 3rd day of May, 2024, from
12:15 p.m. to 3:03 p.m. Alaska Standard Time, before
Melinda Barre, Certified Shorthand Reporter in and for
the State of Texas, reported by computerized stenotype
machine, all parties appearing remotely via web
videoconference, pursuant to the rules of procedure and
the provisions stated on the record or attached hereto.

Job No. CS6655711

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

APPEARANCES
(ALL APPEARED VIA ZOOM VIDEO CONFERENCE.)

FOR THE STATE OF ALASKA:
Mr. Ian Engelbeck
ATTORNEY GENERAL'S OFFICE
1031 W. 4th Avenue, Suite 200
Anchorage, Alaska 99501

Telephone: 907.269.5283
E-mail: ian.engelbeck@alaska.gov

FOR THE STATE OF TEXAS:

Mr. Jonathan Wilkerson
Mr. Alex Henthorn
THE LANIER LAW FIRM, PC
10940 W. Sam Houston Parkway N., Suite 100
Houston, Texas 77064

Telephone: 713.659.5200
E-mail: jonathan.wilkerson@lanierlawfirm.com

FOR GOOGLE LLC:

Ms. Claire Leonard
Mr. Robert John McCallum
Mr. Ross Svenson
Ms. Gabriella Small
FRESHFIELDS BRUCKHAUS DERINGER US LLP
700 13th Street NW
Washington, D.C. 20005

Telephone: 202.777.4500
E-mail: claire.leonard@freshfields.com

ALSO PRESENT: Mark Cadena, Videographer
Dan Acosta, Document Technician

INDEX

	PAGE
Examination by Ms. Leonard	5
Signature Page	80
Court Reporter's Certificate	82

EXHIBITS

EXHIBIT	DESCRIPTION	PAGE
Exhibit 1	Notice of 30(b)(6) Deposition	22
Exhibit 2	Plaintiff States' Sixth Amended Responses & Objections to Google's First Set of Interrogatories	30
Exhibit 3	The Plaintiff States' Combined Responses and Objections to Google LLC's Second Set of Requests for Admission to Texas and First Set of Requests for Admission to Remaining Plaintiff States	31
Exhibit 4	Plaintiff States' Amended Advisory Regarding Relief Sought	46
Exhibit 5	State of Alaska Records Retention and Disposition Schedule	53
Exhibit 6	Spreadsheet	69

1 We're not seeking restitution. We've been
2 clear about that. But all of any civil penalty we get
3 will be used for the benefit of Alaska citizens and
4 consumers.

5 Q. Alaska's also seeking attorneys' fees in this
6 case. Is that right?

7 A. Yes.

8 Q. Do you know how much Alaska is seeking in
9 attorneys' fees?

10 A. Well, under both statutes that are state
11 statutes we're entitled to full reasonable fees. So we
12 will be seeking our full reasonable fees and costs.

13 Q. And just for clarity of the record, both
14 statutes, do you mean the state antitrust law and the
15 state DTPA law?

16 A. Correct.

17 Q. How does Alaska intend to calculate the amount
18 of attorneys' fees in this case?

19 A. At this point I guess I don't know that we've
20 gotten that far in our thinking yet.

21 Q. So switching topics a bit, was there a
22 litigation hold issued at the Alaska AGO's office in
23 connection with this litigation?

24 A. Yeah, I believe there was. So I would need to
25 go double-check that. But my recollection is that we

1 did put a hold in place, a litigation hold in place.

2 Q. Is that normal practice, for the Alaska AGO's
3 office to put a litigation hold in place in connection
4 with a lawsuit filed?

5 A. Yes. In my personal experience that's true.
6 Speaking on behalf of the State, there is a policy
7 that's supposed to happen.

8 Q. And does that policy also apply during the
9 investigation phase in addition to post-complaint
10 filing?

11 A. I would need to go review that policy, and I
12 didn't do that prior to this -- to this deposition like
13 in terms of an overarching policy.

14 One thing that is true about our records
15 retention policy is basically everything gets saved, but
16 litigation holds are a procedure that we follow. And
17 I'm not sure when the State's policy sort of directs,
18 you know, us lawyers to establish a litigation hold, at
19 what point in the investigatory process or litigation
20 process that's required.

21 Q. For the litigation hold that's in place in this
22 case, is it still in place today?

23 A. Yes, to the extent that it's in place. And I'm
24 pretty certain that one is in place. Yes, it is still
25 in place.

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

THE STATE OF TEXAS,)
et al.,)
Plaintiffs,)
vs.) CASE NO. 4:20-cv-00957-SD
GOOGLE LLC,)
Defendant.)

REPORTER'S CERTIFICATE
ORAL DEPOSITION OF JEFF PICKETT
May 3, 2024

I, Melinda Barre, Certified Shorthand Reporter in
and for the State of Texas, hereby certify to the
following:

That the witness, JEFF PICKETT, was duly sworn by
the officer and that the transcript of the oral
deposition is a true record of the testimony given by
the witness;

That the original deposition was delivered to
Claire Leonard.

That a copy of this certificate was served on all
parties and/or the witness shown herein
on May 6, 2024.

I further certify that pursuant to FRCP Rule

1 30(f)(1), that the signature of the deponent:

2 _____ was requested by the deponent or a party before
3 the completion of the deposition and that the signature is
4 to be before any notary public and returned within 30 days
5 from date of receipt of the transcript. If returned,
6 the attached Changes and Signature Page contains any
7 changes and the reasons therefor:

8 _____ was not requested by the deponent or a
9 party before the completion of the deposition.

10 I further certify that I am neither counsel for,
11 related to, nor employed by any of the parties or
12 attorneys in the action in which this proceeding was
13 taken, and further that I am not financially or
14 otherwise interested in the outcome of the action.

15 Certified to by me on this, the 6th day
16 of May, 2024.

17
18
19 

20
21 Melinda Barre

22 Texas CSR 2192

23 Expiration: 12/31/25
24
25